

PD8 Exh B

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL) MDL No. 2804
PRESCRIPTION OPIATE)
LITIGATION) Case No.
) 1:17-MD-2804
)
THIS DOCUMENT RELATES TO) Hon. Dan A.
ALL CASES) Polster
)

— — —
Wednesday, May 29, 2019
— — —

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW
— — —

Videotaped Deposition of DANIEL P.
KESSLER, JD, Ph.D., held at Jones Day,
1755 Embarcadero Road, Palo Alto, California,
commencing at 9:02 a.m., on the above date,
before Debra A. Dibble, Registered Diplomate
Reporter, Certified Realtime Reporter,
Certified Realtime Captioner, and Notary
Public.

— — —
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1 him professionally. Probably 20 years. In
2 the ballpark of 20 years.

3 Q. And are you aware of whether or
4 not he is a research associate at the NBER?

5 A. I believe he is, but I am not
6 certain. Yeah, I'm not certain.

7 Q. Okay. By the way, with respect
8 to all four of these professors that we just
9 discussed, Professors Gruber, Cutler,
10 McGuire, and Liebman, do you know any of them
11 outside of your professional capacity?

12 A. No.

13 Q. In other words, would you
14 consider any of them your colleagues?

15 MR. GEISE: Object to the form.

16 THE WITNESS: Yes. I mean, I'd
17 consider them all my colleagues.

18 MR. KO: Okay. Great.

19 THE WITNESS: In a professional
20 context.

21 Q. (BY MR. KO) Do you respect all
22 four of them?

23 MR. GEISE: Objection, vague.

24 THE WITNESS: I think they're

1 all very smart academic researchers.

2 I certainly have read many of
3 the papers that they've written, and
4 learned from them.

5 Q. (BY MR. KO) And do you know
6 Professor Meredith Rosenthal?

7 A. Not really.

8 Q. Okay. You don't have a
9 professional relationship with her?

10 A. No, I would not say I know
11 Professor Rosenthal professionally, no.

12 Q. So is it fair to say that you
13 know Professors Cutler, Gruber, McGuire, and
14 Liebman more than you know Professor
15 Rosenthal?

16 A. Yes. That's a correct
17 assessment.

18 Q. Okay. Now going back to your
19 CV on the awards and fellowships that you
20 list, are there -- I just want to make sure
21 the record is clear, are there any other
22 awards or fellowships that you can think of
23 that you have had or currently have that are
24 not listed here?

1 CERTIFICATE

2 I, DEBRA A. DIBBLE, Registered
3 Diplomat Reporter, Certified Realtime
4 Reporter, Certified Realtime Captioner,
5 Certified Court Reporter and Notary Public,
6 do hereby certify that prior to the
7 commencement of the examination, DANIEL P.
8 KESSLER, JD, Ph.D. was duly sworn by me to
9 testify to the truth, the whole truth and
10 nothing but the truth.

11 I DO FURTHER CERTIFY that the
12 foregoing is a verbatim transcript of the
13 testimony as taken stenographically by and
14 before me at the time, place and on the date
15 hereinbefore set forth, to the best of my
16 ability.

17 I DO FURTHER CERTIFY that pursuant
18 to FRCP Rule 30, signature of the witness was
19 not requested by the witness or other party
20 before the conclusion of the deposition.

21 I DO FURTHER CERTIFY that I am
22 neither a relative nor employee nor attorney
23 nor counsel of any of the parties to this
24 action, and that I am neither a relative nor
employee of such attorney or counsel, and
that I am not financially interested in the
action.

17
18
19 

DEBRA A. DIBBLE, RDR, CRR, CRC
NCRA Registered Diplomat Reporter
NCRA Certified Realtime Reporter
Certified Court Reporter

Dated: 29 May 2019